

IN THE CLAIMS:

Please CANCEL claims 75 and 77-89 without prejudice to or disclaimer of the recited subject matter.

Please AMEND claims 71 and 73, as follows. For the Examiner's convenience, all claims currently pending in this application have been reproduced below.

1-70. (Cancelled)

71. (Currently Amended) A method of manufacturing a diffractive optical element, which is used for an optical system of an exposure apparatus, said diffractive optical element comprising:

- (i) an effective area;
- (ii) a peripheral area surrounding the effective area;
- (iii) a light-shielding member composed of a laminated layer of Cr oxide and Cr disposed on a surface of the peripheral area; and
- (iv) a holding frame,

wherein the laminated layer includes an alignment mark at a predetermined position with respect to the center of the effective area and in relation to the holding frame so as to center the effective area in the holding frame, said method comprising the steps of:

coating a substrate with photoresist;

patterning the photoresist into a pattern for making the alignment mark and a pattern for making the effective area;

etching the substrate covered with the patterned resist;

peeling the photoresist;

forming the light-shielding member and the alignment mark by forming a laminated layer of Cr oxide and Cr on the peripheral area of the substrate; and

attaching the substrate to the holding frame.

72. (Cancelled)

73. (Currently Amended) An exposure apparatus for exposing a wafer to a pattern of a mask by using said the optical system including said diffraction grating the diffractive optical element according to Claim 71.

74. (Previously Presented) A device manufacturing method comprising:

a step of exposing a wafer to a device pattern of a mask by the exposure apparatus according to Claim 73; and

a step of developing the exposed wafer.

75-89. (Cancelled)